

# EXHIBIT 2

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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TETRIS HOLDING, LLC, and THE  
TETRIS COMPANY, LLC,

Plaintiffs and,

Counterclaim Defendant Civil Action No.

-against-

3:09-CV-6115

(FLW) (DEA)

XIO INTERACTIVE,

Defendant and

Counterclaim Plaintiff.

-----x

August 11, 2011

11:23 a.m.

Videotaped Deposition of JEFFREY C. NEU,  
taken by Plaintiff, pursuant to subpoena, at the  
offices of Kirkland & Ellis, LLP, 601 Lexington  
Avenue, New York, New York, before SUZANNE  
PASTOR, a Shorthand Reporter and Notary Public  
within and for the State of New York.

A P P E A R A N C E S:

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ALSO PRESENT:

MICHAEL DAVIDSON, Videographer

1 NEU - AUGUST 11, 2011

2 Q. Well, legal dispute?

3 MS. MAITRA: Objection; vague and  
4 to form.

5 Q. I'll ask the question. Did  
6 Ms. Golen or anyone else related to XIO tell you  
7 in November 2008 that they were concerned that  
8 they would -- there would be a legal dispute  
9 with the Tetris Company over the app they were  
10 developing?

11 A. I believe that is what the e-mail  
12 says, yes. In Exhibit 10. And thereby copied I  
13 believe in 11 and 12.

14 Q. And they engaged you as a lawyer,  
15 correct? Excuse me, and XIO engaged you as a  
16 lawyer, correct?

17 A. Could you define "engaged" for me?

18 Q. They hired you to advise them, give  
19 them legal advice.

20 A. I agreed to represent them  
21 pro bono.

22 Q. You agreed to represent them  
23 pro bono?

24 A. Correct.

25 Q. And part of your representation --